

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA

3)
4)
5 Plaintiff(s),) No. C MEJ
6)
7 v.) ORDER SETTING
8) CASE MANAGEMENT
9) CONFERENCE.
10 Defendant(s).)
11 _____) [ALL CASES]

12 IT IS HEREBY ORDERED that, pursuant to Fed. R. Civ. P. 16 and Civil L. R. 16-10, a Case
13 Management Conference will be held in this case before the Honorable Maria-Elena James on
14 Thursday, _____ at 10:00 A.M. in Courtroom B, 15th Floor, 450 Golden Gate
15 Avenue, San Francisco, California, 94102.

16 IT IS FURTHER ORDERED that, within 120 days of filing the complaint, and in accordance
17 with Fed. R. Civ. P. 4, Plaintiff(s) shall complete service of the complaint on at least one Defendant
18 and file either a waiver of service or a certification of service of process. Failure to file the waiver of
19 service or a certification of service may result in issuance by the Court of an Order to Show Cause why
20 the complaint should not be dismissed without prejudice pursuant to Fed. R. Civ. P. 4.

21 IT IS FURTHER ORDERED that Counsel shall meet and confer prior to the Case Management
22 Conference and file, no later than seven days before the Case Management Conference, a Joint Case
23 Management Conference Statement in compliance with Civil L. R. 16-9 addressing the information
24 contained in the Joint Case Management Statement and [proposed] Case Management Order form,
25 enclosed herewith. In addition, the parties must be prepared to knowledgeably discuss with the Court
26 any of the other subjects listed in Fed. R. Civ. P. 16 or in Civil L. R. 16-10.

27 IT IS FURTHER ORDERED that motions for summary judgment shall be accompanied by a
28 joint statement of undisputed facts in compliance with Civil L. R. 56-2(b).

IT IS FURTHER ORDERED that seven days prior to the case management conference, each
party shall file the consent/declination form, enclosed herewith, consenting to Judge James'
jurisdiction or requesting reassignment to a district court judge. In the event that Defendant(s) file a

1 Motion to Dismiss, pursuant to Fed. R. Civ. P. 12, Defendant(s) shall file the consent/request for
2 reassignment form at the time the motion is filed and Plaintiff(s) shall file the consent/request for
3 reassignment form seven days thereafter.

4 IT IS FURTHER ORDERED that in all "E-Filing" cases, when filing papers that require the
5 Court to take any action (e.g. motions, meet and confer letters, administrative requests), the parties
6 shall, in addition to filing papers electronically, lodge with chambers a printed copy of the papers by
7 the close of the next court day following the day the papers are filed electronically. These printed
8 copies shall be marked "Chambers Copy" and shall be submitted to the Clerk's Office in an envelope
9 clearly marked "Magistrate Judge Maria-Elena James", case number and "E-Filing Chambers Copy."
10 Parties shall not file a paper copy of any document with the Clerk's Office that has already been filed
11 electronically. **Any proposed orders must also be emailed to: mejpo@cand.uscourts.gov**

12 IT IS FURTHER ORDERED that each attorney of record in all "E-Filing" cases is obligated to
13 become an ECF User as defined in General Order No. 45 and be assigned a user ID and password for
14 access to the system upon designation of the action as being subject to ECF. Registration shall be on a
15 form prescribed by the Clerk. Attorneys of record who fail to register timely shall be subject to such
16 sanctions as may be imposed by the Court.

17 IT IS FURTHER ORDERED that Plaintiff(s) shall serve copies of this Order, the Joint Case
18 Management Statement and [proposed] Case Management Order form, the consent/request for
19 reassignment form and the attached Discovery and Dispute Procedures on all parties to this action, and
20 on any parties subsequently joined, in accordance with Fed. R. Civ. P. 4 and 5. Following service of
21 process on Defendant(s), Plaintiff(s) shall file a certificate of service with the Clerk of this Court.

22 Failure to comply with this Order or the Civil Local Rules of this Court may result in
23 sanctions, including the dismissal of the complaint or the entry of a default. Fed. R. Civ. P. 16(f), Civil
24 L. R. 1-4.

25
26 Date: May 7, 2004

27 /s/
Maria-Elena James
United States Magistrate Judge